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**State of Utah**  
DEPARTMENT OF NATURAL RESOURCES

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**Division of Oil Gas and Mining**

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Division Director

December 20, 2007

Gregg Galecki, Environmental Coordinator  
Canyon Fuel Company, LLC  
HC 35 Box 380  
Helper, Utah 84526

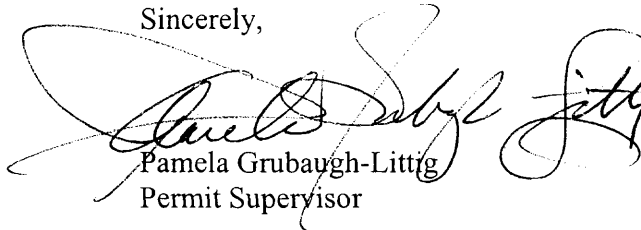
Subject: Modification to Table of Contents, Canyon Fuel Company, LLC, Skyline Mine,  
C/007/0005, Task ID #2633, Outgoing File

Dear Mr. Galecki:

The above-referenced amendment has been reviewed and there are deficiencies that must be adequately addressed. We sent you the list of deficiencies informally in an email earlier this year (see attached). During the MRP side-by-side, we agreed that you would update the table of contents for all your volumes. Therefore, the Division is denying your response to Task #2633 and looks forward to reviewing your next submittal with an updated Table of Contents for the entire MRP, including the MRP Confidential Binder.

We would appreciate your submittal by January 16, 2008. If you have any questions, please call me at (801) 538-5268 or Dana Dean at (801) 538-5320.

Sincerely,



Pamela Grubaugh-Littig  
Permit Supervisor

an  
Enclosure  
cc: Price Field Office  
O:\007005.SKY\FINAL\WG2633\2633 DENY LET.DOC



NOTES:

6/18/07

Gregg and I agreed that I would informally send the deficiencies to discuss whether I missed something that he had sent in. Gregg will get back with me the wk of 6/25/07.

Gregg, This informal document shows the redline strikeout so you can easily see which deficiencies you still need to address. I may have provided a bit more clarification in some, but there are no new deficiencies. The green highlight helps direct me to your last submittal (9/5/2006), the blue highlight lets me know that there was no information in your last submittal to review. Let me know if I missed something.

After we talk next week and if needed, Pam and I will decide whether to have you send in "additional" information for #2633 or send in a new application.

8/30/06

Gregg called to confirm the intent of the defic highlighted. We agreed that he would provide a table of cont that has all the same headings as in A-2, but there will be blank spaces below the headings that do not currently have information in A-2, vol 2. We both agreed that information will come in the future that would go under these headings.

May 16, 2006 June 20, 2007

TO: Internal File

THRU: Jerriann Ernsten, Ph.D., Environmental Specialist, Team Lead

FROM: Jerriann Ernsten, Ph.D., Environmental Specialist, Biologist

RE: Modification to table of contents, Canyon Fuel Company, Skyline Mine, Permit C/007/005, Project # 2417

**SUMMARY:**

The Division received an amendment, on January 12, 2006 and on September 5, 2006 that addresses some of the inconsistencies in the Table of Contents and the Documents in the Biology and Archeology chapters of the Skyline mine MRP. This memo describes the review of the biology and archeology sections.

## TECHNICAL ANALYSIS:

# GENERAL CONTENTS

## PERMIT APPLICATION FORMAT AND CONTENTS

Regulatory Reference: 30 CFR 777.11; R645-301-120.

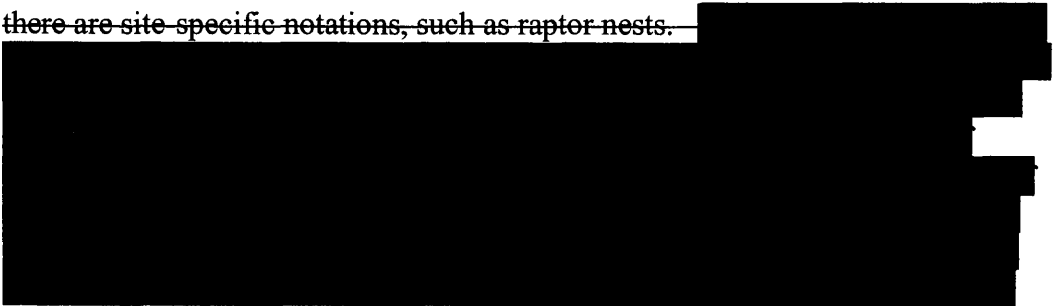
### Analysis:


The Mine and Reclamation Plan (MRP) does not meet the requirements of R645-301-121.200 for the Biology Chapter and Archeology sections.

### Findings:

Information provided in the plan does not meet the Permit Application Format and Contents in General Contents requirements of the regulations. Prior to approval, the Permittee must act in accordance with the following:

**R645-301-121.200**, The Permittee must provide correct citations in the Table of Contents for the supporting documents and provide the supporting documents cited in the Table of Contents that are missing from the MRP: **Volume A-2:** • ~~For the citation "Vegetation and Soils..." provide more information, such as "Vegetation and Soil Letters, Survey Results, and Maps for Proposed Conveyor Route (1991, 4 separate documents)". This suggestion makes it clearer that there are four documents for this single citation and mentions their nature.~~ • ~~Relocate "Riparian Plant Community..." to Volume A 2, Volume 2. This suggestion will consolidate all the Woods and Winter Quarters surveys in a single volume, rather than spreading them out between two volumes, which helps expedite the review process.~~ • ~~Remove the second of the double citations "Baseline Data Report on Presence and Utilization..."~~ • ~~Correct misspelled words in the first citation misspellings.~~ • ~~Determine if the citation "Additional Wildlife Information..." is a duplicate/type of the citation "Additional Avifauna Information..."~~ • ~~Typically, there is no reason for wildlife information to be in the Confidential Binder, unless there are site specific notations, such as raptor nests.~~





~~• Provide the same, corrected Table of Contents in Volume A 3, Volume 2 as provided in Volume A 3. • For the citation "Biological Studies in Winter Quarters..." add "A Study Plan" before the date. This suggestion will help distinguish the document as a plan vs. an actual study with results.~~

**RECOMMENDATIONS:**

Do not approve the amendment until the Permittee addresses all deficiencies.